

FORM-PTO-1390
(Rev. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

033285-010

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

UNASSIGNED 107 089449

INTERNATIONAL APPLICATION NO.
PCT/EP00/09392

INTERNATIONAL FILING DATE
26 SEPTEMBER 2000

PRIORITY DATE CLAIMED
30 SEPTEMBER 1999

TITLE OF INVENTION

NOVEL COMBINATION OF LOTEPRDNOL AND β_2 -ADRENOCEPTOR AGONISTS

APPLICANT(S) FOR DO/EO/US

Istvan SZELENYI et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Verification of Translation of application into English; Form PCT/ISA/210 (Int'l. Search Report); Form PCT/IPEA/416; Form PCT/IPEA/409 (w/2 amended sheets); Form PCT/IPEA/401; Form PCT/RO/101 (6 pgs.); Form PCT/IB/306; Form PCT/IB/301; Form PCT/IB/304; Form PCT/IB/308; Form PCT/IB/332; Verification of Translation of (2) Amended Sheets and Cover Page of WO 01/22956 A2.



21839

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.51) 10/089449				INTERNATIONAL APPLICATION NO. PCT/EP00/09392		ATTORNEY'S DOCKET NUMBER 033285-010	
UNASSIGNED							
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 (960) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 (970) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 (958) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 (956) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962)							
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$ 890.00			
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$			
Claims	Number Filed	Number Extra	Rate				
Total Claims	8 -20 =	0	X\$18.00 (966)	\$ 0.00			
Independent Claims	3 -3 =	0	X\$84.00 (964)	\$ 0.00			
Multiple dependent claim(s) (if applicable)			+ \$280.00 (968)	\$ 0.00			
TOTAL OF ABOVE CALCULATIONS =				\$ 890.00			
Reduction for 1/2 for filing by small entity, if applicable (see below). +				\$			
SUBTOTAL =				\$ 890.00			
Processing fee of \$130.00 (156) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). 20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$			
TOTAL NATIONAL FEE =				\$ 890.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +				\$			
TOTAL FEES ENCLOSED =				\$ 890.00			
				Amount to be refunded:		\$	
				charged:		\$	
<p>a. <input type="checkbox"/> Small entity status is hereby claimed.</p> <p>b. <input checked="" type="checkbox"/> A check in the amount of \$ <u>890.00</u> to cover the above fees is enclosed.</p> <p>c. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="margin-left: 40px;">Teresa Stanek Rea, Esquire BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p> <div style="text-align: right; margin-top: 20px;"> _____ SIGNATURE TERESA STANEK REA NAME <u>30,427</u> REGISTRATION NUMBER <u>MARCH 29, 2002</u> DATE </div>							